
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
SBC Tower Holdings LLC)	File No. EB-09-NY-0059
ASR # 1003990)	
Bethlehem, New York)	NOV No. V200932380023

NOTICE OF VIOLATION

Released: March 3, 2009

By the District Director, New York Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules¹ to SBC Tower Holdings LLC, owner of antenna structure # 1003990 in Bethlehem, New York.
2. On February 25, 2009, an agent of the Commission's New York Office inspected antenna structure # 1003990 located at CTY RT 102, Bethlehem, New York, and observed the following violation:

47 C.F.R. § 17.50: "Antenna structures requiring painting under this part shall be cleaned or repainted as often as necessary to maintain good visibility." During the inspection, the agent observed that the paint on the structure was faded.
3. Pursuant to Section 403 of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, SBC Tower Holdings LLC, must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of SBC Tower Holdings LLC. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
New York Office
201 Varick Street, Suite 1151
New York, NY 10014

¹47 C.F.R. § 1.89.

²47 U.S.C. § 403.

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4. This Notice shall be sent to SBC Tower Holdings LLC at its address of record.
5. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

Daniel W. Noel
District Director
New York District Office
Northeast Region
Enforcement Bureau

³P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴18 U.S.C. § 1001 *et seq.*